



09/125,751

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: FODSTAD ET AL. Examiner: S. UNGAR
Serial No.: 09/125,751 Group Art Unit: 1642
Filed: OCTOBER 30, 1998 Docket No.: 7885.55USWO
Title: METHOD OF KILLING TARGET CELLS IN HARVESTED CELL POPULATIONS WITH ONE OR MORE IMMUNOTOXINS

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on December 30, 1999.

By: JM Gresens
John J. Gresens

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed November 9, 1999, Applicants provide the following amendments and remarks.

In the Claims

Please amend claim 1 as follows. Please cancel claims 2, 4, 5 and 9-12, with reserve for re-filing in a divisional application.

1. (Amended) Method to kill breast cancer cells or other carcinoma cells expressing the same target antigens in a cell population comprising nucleated cells [harvested from] in peripheral blood, or CD-34⁺ cells selected from the above nucleated cells, or other immature/early progenitor cells from blood containing multipotent stem cells, characterized in that the cell population is exposed to a combination of two immunotoxins, wherein each immunotoxin is composed of a conjugate between an antibody and a cell toxin, fragments of antibodies and toxin, or recombinantly produced antibodies, toxins, immunotoxins or fragments thereof, wherein the antibodies are directed to epitopes on the antigen EGP2 expressed by the